

**REMARKS**

This Amendment is in response to the Office Action of November 25, 2003 and is submitted further to the Amendment filed February 25, 2004. No new matter is believed to be added to the application by this response.

**Status of the Claims**

Claims 1-34 are pending in the application. Claims 3-34 have been withdrawn from consideration by the Examiner. Support for the amendments to claims 1 and 2 can be found in the specification at page 4 lines 17-18 and at page 5, line 17 to page 26, lines 10-11, respectively. Claims 1 and 2 have also been amended to improve their language to better set forth the subject matter being claimed.

**Rejection Under 35 U.S.C. §112, Second Paragraph**

Claims 1 and 2 are rejected under 35 U.S.C. 35 U.S.C. §112, second paragraph as being indefinite. Applicants traverse.

The Examiner asserts that claims 1 and 2 are indefinite because it is unclear whether a polymer or a polymer blend is being claimed. Claim 1 is drawn to an "ethylene-based copolymer," and therefore pertains to a single polymer.

Claim 2 is drawn to a "copolymer composition," and therefore pertains to a blend containing the described polymer.

Also, claims 1 and 2 have been instantly amended to more clearly set forth the inventive polymer and polymer composition. Claims 1 and 2 have been amended to elucidate a copolymer comprising "a component soluble in decane at normal temperature and a component insoluble in decane at normal temperature." Claims 1 and 2 set forth that the copolymer contains a component soluble in decane at normal temperature at 1 to 70% by weight. As a result the compositions of the inventive copolymer of claim 1 and inventive copolymer compositions of claim 2 are clear.

Further, the Examiner turns to the working examples to ascertain the scope of the claims. However, there is no requirement that claim scope be encompassed by exemplary data.

As a result, claims 1 and 2 are clear, definite and have full antecedent basis. This rejection is accordingly overcome and withdrawal thereof is respectfully requested.

### **Conclusion**

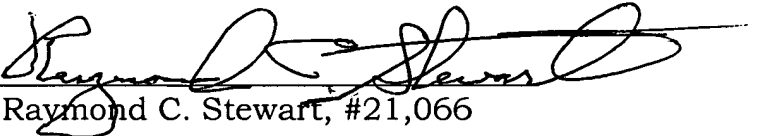
Any issues not addressed in this paper were fully addressed in the Amendment filed February 25, 2004. Accordingly, no issues remain and the Examiner is respectfully requested to allow the application.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Raymond C. Stewart, #21,066

RCS/REG/jls  
1155-0239P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s):

(Rev. 09/30/03)